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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,564	04/27/2006	Jacobus Cornelis Haartsen	P17303-US1	2815
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ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER HSIEH, PING Y	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 02/06/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/595,564

Applicant(s)

HAARTSEN, JACOBUS  
CORNELIS

Examiner

Ping Y. Hsieh

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4-10 and 14-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 11-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/27/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 4-10 and 14-20 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend on other multiple depend claims. See MPEP § 608.01(n). Accordingly, the claims 4-10 and 14-20 not been further treated on the merits.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 recites the limitation "said second weighing factors provided in step c)" in lines 25-26. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kao (U.S. PG-PUB NO. 2004/0077377) in view of Mesecher et al. (U.S. PATENT NO. 6,937,879).

-Regarding claim 1, Kao discloses a method of interference cancellation in radio communication signals received by a radio access unit of a radio

communication system, said radio access unit comprising receiver means and antenna means, said antenna means having a plurality of directionally separated antenna elements for adaptively receiving radio communication signals transmitted by a plurality of remote radio communication units (**as disclosed in fig. 4**), said method comprising the steps of: a) obtaining radio signals received by each of said antenna elements (**the AP 50 comprises a plurality of smart antenna 52 for receiving a plurality of radio frequency signals 80 as disclosed in fig. 4 and further disclosed in paragraph 21**); b) determining first weighing factors for optimally selecting radio signals of a first radio communication unit among said radio signals obtained in step a) (**the processor 56 calculates a plurality of weighing factors for the plurality of weighing modules 54 according to the phase  $\theta$  as disclosed in step 112, fig. 5 and further disclosed in paragraph 29**); c) weighing said radio signals obtained in step a) by said first weighing factors providing a first radio signal of said first radio communication unit (**use each of the weighing modules 54 to weigh base band signals transmitted from a smart antenna 52 corresponding to the weighing module at a second time with a weighing factor corresponding to the weighing module 54 as disclosed in step 114, fig. 5 and further disclosed in paragraph 30**); d) determining second weighing factors for optimally selecting radio signals of a second radio communication unit among said radio signals obtained in step a) (**the processor 56 calculates a plurality of weighing factors for the plurality of weighing modules 54 according to**

**the phase  $\theta$  as disclosed in step 112, fig. 5 and further disclosed in paragraph 29); e) weighing said radio signals obtained in step a) by said second weighing factors providing a second radio signal of said second radio communication unit (use each of the weighing modules 54 to weigh base band signals transmitted from a smart antenna 52 corresponding to the weighing module at a second time with a weighing factor corresponding to the weighing module 54 as disclosed in step 114, fig. 5 and further disclosed in paragraph 30).** Kao further discloses an adder 58 to sum up all the weighed base band signals transmitted from the weighing modules 54 as disclosed in step 116 and paragraph 31; and the processor 56 is allowed to execute the steps 108, 110 and 112 for every predetermined number of the periods as disclosed in paragraph 33. However, Kao fails to disclose the adder 58 to subtract from said second radio signal provided in step e) said first radio signal provided in step c) weighed by said second weighing factors, providing a corrected second radio signal, and g) repeating steps d) to f) for a further radio communication unit by determining further weighing factors, providing a further radio signal of said further radio communication unit and providing a corrected further radio signal by each time subtracting from said further radio signal said previously obtained corrected radio signals weighed by said further weighing factors, till a stop criterium has been satisfied.

Mesecher et al. disclose subtracting from said second radio signal said first radio signal, providing a corrected second radio signal (**weighting signal**

**received by the narrow beam directional antenna 145 by a factor  $\alpha$  and subtracting it from the signal received from the main antenna 143 using a summer 149 as disclosed in fig. 10 and further disclosed in col. 8 lines 27-34).**

Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the adder 58 as disclosed by Kao to be able to subtract signals as disclosed by Mesecher et al., and the steps d-f is repeated for a predetermined number of periods. One is motivated as such in order to reduce the fixed interference.

-Regarding claims 2 and 12, the combination further discloses said weighing factors are obtained by forming conceptual antenna patterns with said plurality of directionally separated antenna elements **(Mesecher et al., the RF adaptive canceler 41 provides weights to each of the interference signals received by the coplanar feeds 49<sub>1</sub>-49<sub>n</sub> as disclosed in col. 4 lines 18-31).**

-Regarding claims 3 and 13, the combination further discloses said weighing factors are selected for optimally selecting radio signals of a respective radio communication unit and for optimally suppressing radio signals corresponding to any other radio communication unit **(the weighted interference replicas are summed to provide a combined interference signal, which is subtracted from the signal from the main antenna 37 thereby deriving a signal substantially free from the interference source 47 as disclosed in col. 4 lines 18-31).**

-Regarding claim 11, Kao discloses a signal processing device for interference cancellation in radio communication signals received by a radio access unit of a radio communication system **(as disclosed in fig. 4)**, said radio access unit comprising receiver means and antenna means said antenna means having a plurality of directionally separated antenna elements for adaptively receiving radio communication signals transmitted by a plurality of remote radio communication units **(the AP 50 comprises a plurality of smart antenna 52 for receiving a plurality of radio frequency signals 80 as disclosed in fig. 4 and further disclosed in paragraph 21)**, said device comprising: means for storing radio signals received by each of said antenna elements **(Although Kao does not specifically disclose means for storing radio signals received by each of said antenna elements, Examiner takes official notice that storing means for radio signals was well known in the art and would have been obvious to one of ordinary skill in the art at the time of the invention to process signals. This modification would have been prompted because it would require some storing means for processing baseband signals in further stage)**; means for determining respective weighing factors for optimally selecting radio signals of a respective radio communication unit among said stored radio signals **(the processor 56 calculates a plurality of weighing factors for the plurality of weighing modules 54 according to the phase  $\theta$  as disclosed in step 112, fig. 5 and further disclosed in paragraph 29)**; and means for weighing said stored radio signals by said respective weighing factors for

providing a respective radio signal of said respective radio communication unit **(use each of the weighing modules 54 to weigh base band signals transmitted from a smart antenna 52 corresponding to the weighing module at a second time with a weighing factor corresponding to the weighing module 54 as disclosed in step 114, fig. 5 and further disclosed in paragraph 30).** Kao further discloses an adder 58 to sum up all the weighed base band signals transmitted from the weighing modules 54 as disclosed in step 116 and paragraph 31. However, Kao fails to specifically disclose means for subtracting from said respective radio signal previously determined corrected radio signals of radio communication units weighed by said respective weighing factors, for providing a corrected respective radio signal.

Mesecher et al. disclose subtracting from said second radio signal said first radio signal, providing a corrected second radio signal **(weighting signal received by the narrow beam directional antenna 145 by a factor  $\alpha$  and subtracting it from the signal received from the main antenna 143 using a summer 149 as disclosed in fig. 10 and further disclosed in col. 8 lines 27-34).**

Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the adder 58 as disclosed by Kao to be able to subtract signals as disclosed by Mesecher et al., and the steps d-f is repeated for a predetermined number of periods. One is motivated as such in order to reduce the fixed interference.



**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Richardson et al. (U.S. PATENT NO. 6,052,421).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ping Y. Hsieh whose telephone number is 571-270-3011. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lana Le can be reached on 571-272-7891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PH



2-03-08

LANA LE  
PRIMARY EXAMINER